

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

WILLIAM DAVID CARROLL,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:06-CV-549-MEF
)	
ANTHONY CLARK, et al.,)	
)	
Defendants.)	

ORDER

In his complaint, the plaintiff names Dr. McWaters as a defendant in this cause of action. Service was attempted but unperfected on Dr. McWaters because he was not known at the address provided by the plaintiff. If a person has not been served, he is not a party to this lawsuit except in very unusual circumstances. Consequently, in order to maintain litigation against Dr. McWaters, the plaintiff must furnish the clerk's office with correct addresses for this individual. Accordingly, it is

ORDERED that on or before July 24, 2006 the plaintiff shall furnish the clerk's office with the correct address of Dr. McWaters. **The plaintiff is advised that the court will not continue to monitor this case to ensure that the defendants he wishes to sue have been served.** This is the plaintiff's responsibility. Moreover, the plaintiff is specifically cautioned that if service is not perfected on Dr. McWaters he will not be considered a party to this cause of action, the court will on its own initiative dismiss the

claims against Dr. McWaters, and this case will proceed against only the defendant on whom service has been perfected. *See* Rule 4(m), *Federal Rules of Civil Procedure*.

DONE, this 11th day of July, 2006.

/s/ Susan Russ Walker
SUSAN RUSS WALKER
UNITED STATES MAGISTRATE JUDGE